



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

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Lansing, Michigan 48909

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Jennifer Warner
Director

MEMORANDUM

DATE: December 7, 2017

TO: Trial Court Judges
Court Administrators
Probate Registers
County Clerks

FROM: Stephanie Beyersdorf, Management Analyst

RE: Public Act 174 of 2017: Notice to Sureties of Defendant's Failure to Appear

Courts are required to provide notice to a surety when a defendant fails to appear for a court proceeding and the court orders a default of the bond on the record. Public Act 174 of 2017, effective February 19, 2018, allows courts to provide notice via first-class mail to the surety's last known business address, as well as in person or by leaving the notice at the surety's last known business address. The notice must be provided within seven days and the notice for failure to appear, if provided via first-class mail, must be separate from a judgment of forfeiture. The State Court Administrative Office will amend form MC218a, Notice to Surety of Defendant's Failure to Appear to accommodate the new method of service. The revised form will be available in February 2018.

For more information regarding the surety bond process and notification of failure to appear, please refer to [SCAO Administrative Memo 2017-01](#), which details the surety bond process for courts.

Please contact me at TrialCourtServices@courts.mi.gov or 517-373-0122 if you have questions.